

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DISH NETWORK L.L.C.
and NAGRASTAR LLC,

Plaintiffs,

v.

CREN MOTASAKI, ATTA UR RAUF,
RAFAYET ALAM, PEPIN WOOLCOCK,
SAJAN KYUBI SHRESTHA, and
DOES 1-11, individually and collectively
d/b/a Voodoo IPTV,

Defendants.

Civil Action No. _____

DECLARATION OF KEVIN MCMONNIES

I, KEVIN MCMONNIES, of Englewood, Colorado declare as follows:

1. I make this declaration based on personal knowledge and, if called upon to testify, would testify competently as stated herein.
2. I am the Director of Field Security and Investigations for Plaintiff NagraStar LLC ("NagraStar"). I have been employed with NagraStar since 2006. NagraStar provides encryption technology used by Plaintiff DISH Network L.L.C. ("DISH") to protect its satellite transmissions of television programming from piracy, i.e., unauthorized reception, retransmission, or viewing. I am responsible for NagraStar's anti-piracy investigations and support of legal actions worldwide, including this case. The investigation described in this declaration was performed by myself and employees of NagraStar working under my direction and supervision.
3. NagraStar conducted periodic tests of the Voodoo IPTV streaming service to determine if television programming that originated from DISH's satellite communications was retransmitted without authorization to users of the Voodoo IPTV service. The testing was

conducted by incorporating encoded messages into DISH's satellite communications and then viewing channels on the Voodoo IPTV service to observe those encoded messages, which confirmed the programming did in fact originate from DISH's satellite communications. NagraStar monitored only a subset of the channels offered on the Voodoo IPTV service between February 28, 2019 and March 12, 2020, and observed approximately 86 channels on the Voodoo IPTV service that originated from DISH's satellite communications, including:

- a. Movie channels such as Showtime 2 and Showtime East;
- b. Sports channels such as TUDN and Willow Cricket;
- c. International channels such as Aapka Colors, ARY Digital, ARY News, ARY Zauq, Azteca America, Centroamerica Oeste, Dunya TV, Express Entertainment, Express News, Galavision, Hum Sitaray, Hum TV, MBC1, MBC Masr, Murr TV, OTV, Pasioness, Record TV Americas, SAB, Sony SET, Telemundo Oeste, TV Globo Internacional, TVI Internacional, Univision Este, Univision Oeste, and Zee TV;
- d. Additional channels originating from DISH's satellite transmissions such as the BET, Cooking, Lifetime, and USA Network channels.

A true and correct copy of a relevant excerpt of NagraStar's monitoring report dated March 12, 2020 concerning the Aapka Colors, Sony SET, and Willow Cricket channels is attached as **Exhibit 1**, which is representative of the channel monitoring analysis conducted by NagraStar.

4. NagraStar identified eleven DISH subscription accounts that were used to supply or "seed" the Voodoo IPTV service with channels originating from DISH's satellite communications (the "Seeder Accounts"). One Seeder Account was identified based upon visual observation of DISH's "Partial Signal Loss" error message appearing on the television screen

when monitoring Willow Cricket on the Voodoo IPTV service. This error message identified the serial number of the DISH satellite receiver and NagraStar smart card assigned to the DISH subscription account used to provide that channel for the Voodoo IPTV service. A screenshot of this DISH error message is attached as **Exhibit 2**. NagraStar used the serial numbers set forth in the error message to identify DISH account 8255909669762889 held in the name of Ellie Alsajkar at 545 8th Ave Apt 619, New York, NY 10018 as one of the Seeder Accounts.

5. NagraStar identified ten Seeder Accounts by temporarily deactivating and then reactivating DISH satellite receivers that were associated with the following DISH subscription accounts:

- a. DISH account 8255909331289063 held in the name of Mudhar Alabousi at 5 Colomba Dr Apt 500-10f, Niagara Falls, NY 14305, *elsa6900@yahoo.com*;
- b. DISH account 8255909667382458 held in name of Sumit Gill at 18 Delham Ave, Buffalo, NY 14216, *gil37263@gmail.com*;
- c. DISH account 8255909110513063 held in name of Al and Gia Bander at 149 Fall Dr, Columbus, GA 31907, *bander176@yahoo.com*;
- d. DISH account 8255909112528010 held in the name of Jennifer Rock at 90 Vine St, Athens, GA 30601, *esa03@yahoo.com*;
- e. DISH account 8255909657584675 held in the name of Lucas Lima at 18 Jamesriver Rouge, River Rouge, MI 48218;
- f. DISH account 8255909665427214 held in the name of Connie Yepez at 2316 Delaware Ave Apt 152, Buffalo, NY 14216, *connie_yepez71@yahoo.com*;
- g. DISH account 8255909330255057 held in the name of Chris Lorenzen at 545 8th Ave Apt 466, New York, NY 10018;

- h. DISH account 8255909272325199 held in the name of Marvin Macon at 165 Griffen Rd, Trego, MT 59934;
- i. DISH account 8255909668326074 held in the name of Joyce Freeman at 738 Delaware Ave Apt 302, Buffalo, NY 14209; and
- j. DISH account 8255909110643886 held in the name of Gustavo & Mari Gonzalez at 183 Dixie Ave, Macon, GA 31206, *marigon22@yahoo.com*.

6. Within minutes of NagraStar deactivating the DISH satellite receivers associated with the ten DISH accounts identified in paragraph 5, the channels on the Voodoo IPTV service became unavailable and displayed DISH's notification stating that a subscription was required. When NagraStar reactivated the DISH satellite receivers minutes later, the channels resumed transmitting on the Voodoo IPTV service. The foregoing establishes that the DISH subscription accounts identified in paragraph 5 were used to supply the Voodoo IPTV service with content originating from DISH's satellite communications.

7. NagraStar obtained CLEAR investigative reports and reviewed other public records concerning the names, mailing addresses, telephone numbers, and email addresses that, according to DISH's subscription account records, are associated with the eleven Seeder Accounts identified in paragraphs 4-5. NagraStar was unable to connect the account holders to the contact information listed in the DISH records. It is my belief that the eleven Seeder Accounts were created using incorrect names and contact information.

8. One Seeder Account, DISH account 8255909272325199, was established through a retailer named Burton's Satellite, Inc., a Montana corporation located in Bigfork, Montana.

9. Another Seeder Account, DISH account 8255909110513063, was established through a former retailer named Global Connections Television, an inactive Tennessee corporation that was located in Knoxville, Tennessee and believed to be operated by Fadi Gharbieh.

10. Five unique Internet Protocol (“IP”) addresses have been used to access the eleven Seeder Accounts identified in paragraphs 4-5. IP address 99.230.90.114 was used to access seven of the Seeder Accounts, is owned by Rogers Cable, and is located in Toronto, Ontario, Canada. IP addresses 23.111.165.2 and 66.165.246.214 were used to access one of the Seeder Accounts and are owned by Hivelocity, Inc., which is located in Tampa, Florida. The foregoing further supports my belief that the Seeder Accounts identified by NagraStar were each established with a name and contact information that does not correspond with the person responsible for the account.

11. The eleven Seeder Accounts identified in paragraphs 4-5, according to DISH’s subscription account records, had a combined total of approximately 43 credit cards that were a source of payment on the accounts including:

373355428283003	4514076532039121	5113405167700941
4214020060071836	4520340008144076	5113409835765120
4214020060071844	4520709002744430	5181271022000563
4214020060302983	4520848001870265	5191230096361127
4214020064074257	4520850017634941	5191230149797723
4214020065101471	4520880026205276	5191230184402684
4214020067140774	4520883003009448	5193940000277411
4214020069424259	4520883005884434	5415902500986497
4500033602678730	4537040788280048	5415902750193109
4500040000536295	4729260135935544	5457568078977884
4500050023580907	5113400369118604	5457568927086275
4510156016603586	5113401346871604	5491981473367106
4512108905463901	5113402973792527	5526122000074548
4514011400562631	5113404142614459	
4514011803241783	5113405131637971	

The foregoing appear to be one American Express card based upon the first number “3”, 24 Visa cards based upon the first number “4”, and 18 Mastercard cards based upon the first number “5.” NagraStar’s experience in prior cases is that card networks such as Visa, Inc. and Mastercard Inc.

are unable to identify a particular credit card account holder based on the account number. Instead, card networks like Visa and Mastercard are only able to identify the bank or financial institution that issued the credit card, and discovery must be conducted on the card issuer to identify the actual account holder. Internet searches on the first six digits of the credit cards identified the bank or financial institution believed to have issued many of the credit cards, but NagraStar's experience in prior cases is that this information is not always accurate. Accordingly, NagraStar seeks to issue subpoenas to Visa, Mastercard, American Express, and the identified banks or financial institutions, or their United States parents or subsidiaries, that are believed to have issued the credit cards, including Bank of America, N.A.; BMO Harris Bank, N.A.; Capital One Bank (USA), N.A.; CIBC Bancorp USA Inc.; Citizens Bank, N.A.; HSBC Bank USA, N.A.; RBC Bank (Georgia), N.A.; TD Bank, N.A.; and The Bank of Nova Scotia.

12. Device Codes designed and provided for the purpose of enabling customers to access servers that are used to stream the television programming on the Voodoo IPTV pirate streaming service, including DISH's satellite communications, were sold on various websites, including Iptvvoodoo.com, Voodootv.in, and Buyiptvonline.net (collectively, the "Voodoo IPTV Domains"). The Device Codes are designed to be used with Android TV Boxes including MAG254, which are sold on the Phatelectronics.com website. Attached as **Exhibit 3** is a true and correct copy of the DomainTools Whois records for the Voodoo IPTV Domains and Phatelectronics.com showing:

- a. GoDaddy.com, LLC was the registrar of Iptvvoodoo.com and was believed to be the website host because of the Name Servers identifying "domaincontrol.com";
- b. Domains By Proxy, LLC was the privacy proxy service of Iptvvoodoo.com;

- c. Enom, Inc. was the registrar of Voodootv.in;
- d. Namecheap, Inc. was believed to be the website host of Voodootv.in because of the Name Servers identifying “name-services.com”; and
- e. Endurance International Group, Inc. is the privacy proxy service of Phatelectronics.com, and is believed to be the registrar through its subsidiary FastDomain Inc. and the website host because of the Name Servers identifying “netfirms.com.”

13. The portal address for the Voodoo IPTV pirate streaming service is http://voodoo.dynsite.tm:88/stalker_portal/c/. Attached as **Exhibit 4** is a true and correct copy of the DomainTools Whois records for the dynsite.tm domain showing that its IP address is owned and located at Dynamic Network Services, Inc.

14. Defendant Pepin Woolcock appears to control the website for IKXS Support found at <https://pepinw.wixsite.com/ikxs>, which offers IPTV services. Attached as **Exhibit 5** is a true and correct copy of the DomainTools Whois records for the wixsite.com domain showing that its IP address is owned and located at Wix.com Ltd. The current entity controlling Wix.com appears to be Wix.com, Inc.

15. Payments for the Device Codes are believed to be received by Defendants through online payment processors such as PayPal, Inc. with email addresses including *mynameiscaren@hotmail.com* and *esolutionsonline.ca@gmail.com*. Defendants have also used PayPal accounts with email addresses including *cre2v9hn@outlook.com*, *goodstuff4you247@gmail.com*, and *rafay98@hotmail.com* to make piracy related sales or purchases. PayPal may also be able to identify the Doe Defendants by the following email addresses associated with:

- a. Defendants: *rabdul@gmail.com*, *rafa98@hotmail.com*, *raf98@hotmail.com*, *rafay@rogers.com*, *1877flaguru@gmail.com*, *sajansthal989@gmail.com*;
- b. the Voodoo IPTV Domains and Phatelectronics.com: *admin@anguillais.us*, *vcaribtv@gmail.com*, *vivostreamus@gmail.com*, *shahidiqbal001@gmail.com*, *info@phatelectronics.com*, *phatelectronics2k12@gmail.com*, *kewltvdr@gmail.com*, *subscription@buyiptvonline.net*, *info@buyiptvonline.net*, *help@buyiptvonline.net*; and
- c. the Seeder Accounts: *elsa6900@yahoo.com*, *gil37263@gmail.com*, *bander176@yahoo.com*, *esa03@yahoo.com*, *connie_yepe71@yahoo.com*, and *marigon22@yahoo.com*.

16. Google, Inc. provides “@gmail.com” email accounts. Microsoft Corporation provides “@hotmail.com” and “@outlook.com” email accounts. Oath Inc. or Verizon Media provide “@yahoo.com” email accounts. Therefore, Google, Microsoft, and Oath may also be able to identify the Doe Defendants by the email addresses identified in paragraph 15.

17. Defendants have Facebook pages located at:
- a. <https://www.facebook.com/pepinw>;
 - b. <https://www.facebook.com/attaurreauf1>;
 - c. <https://www.facebook.com/phatelectronicsinc>;
 - d. <https://www.facebook.com/alam.rafayet>; and
 - e. <https://www.facebook.com/insane.d3vil>.

18. Defendant Pepin Woolcock has an Instagram page located at <https://www.instagram.com/pepinwoolcock>. Defendant Atta Ur Rauf had an Instagram page located at <https://www.instagram.com/atta.ur.rauf>.

19. Defendants have LinkedIn pages located at:

- f. <https://www.linkedin.com/in/rafayet-alam/>;
- g. <https://www.linkedin.com/in/rafa-abdul-303a9013/>;
- h. <https://www.linkedin.com/in/atta-ur-rauf-23a8371a3/>; and
- i. <https://www.linkedin.com/in/pepin-woolcock-b3a67310/>.

20. Defendant Pepin Woolcock has a Twitter page located at <https://twitter.com/pepinw>.

21. Defendant Sajan Kyubi Shrestha has a GitHub page located at <https://github.com/sajanstha1989>.

22. The Doe Defendants are the customers of the foregoing retailers, financial institutions, banks, and third-party service providers identified in paragraphs 8-13 and 15-16. These retailers, financial institutions, banks, and third-party service providers are expected to have information identifying Doe Defendants. Defendants' third-party service providers identified in paragraphs 14 and 17-21 may also identify the Doe Defendants and establish that all Defendants are acting jointly in furtherance of a common scheme to steal DISH programming and resell it to unauthorized users of the Voodoo IPTV pirate streaming service. Thus, DISH requests permission to serve subpoenas on each retailer, financial institution, bank, and third-party service provider, copies of which are attached to the Declaration of Stephen M. Ferguson as Exhibits 1-30.

23. NagraStar conducted a thorough investigation of the Seeder Accounts, retailer accounts, financial institution and bank accounts, and third party service accounts listed in paragraphs 4-21, but does not have a means for identifying Doe Defendants without the assistance of the third-parties. It has been NagraStar's experience that third-parties require a subpoena and court order prior to providing information regarding the customer using their services.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May
17, 2020.


Kevin McMonnies